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10/814,401	03/31/2004	Richard R. Hollowbush	1121-73 (D4781-00078)	5381

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DUANE MORRIS, LLP  
IP DEPARTMENT  
30 SOUTH 17TH STREET  
PHILADELPHIA, PA 19103-4196

EXAMINER
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CHOW, JEFFREY J

ART UNIT	PAPER NUMBER
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2628

MAIL DATE	DELIVERY MODE
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10/26/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/814,401	<b>Applicant(s)</b> HOLLOWBUSH ET AL.	
	<b>Examiner</b> Jeffrey J. Chow	<b>Art Unit</b> 2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 August 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION*****Response to Arguments***

Applicant's arguments regarding claims 1, 3 – 12, and 14, filed 07 February 2007, have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "reformatting the display to a different changeable") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The claim limitation recites, "wherein the video processor is operable automatically to change the area of particular scrutiny and automatically to select changeable selection of the formatted display, when predetermined criteria are met by said video picture". Krishnamurthy et al. (US 5,469,188) teaches when the user presses the NEXT or PREV buttons, the cursor 36 moves to the next or previous error respectively in the display window 32 (column 3, lines 36 – 40 and Figure 2). Krishnamurthy also discloses a status window that shows the pixels of where the cursor is in the display window 32 (column 3, lines 29 – 31). Though the user presses NEXT or PREV buttons, upon pressing one of those buttons, the system automatically goes to the next or previous error respectively (automatically to change the area of particular scrutiny) and displaying the position of the error in the display window 32 and showing the status of the pixels of where the cursor is (automatically to select said changeable selection of the formatted display). Krishnamurthy teaches "automatically to change the area of particular scrutiny" and "automatically to select said changeable selection of the formatted display" because the user

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him/herself does not manually find an error in the video and moves the cursor the position of the error. The user manually inputs the "NEXT" and "PREV" buttons, but it is the system that automatically goes to the next or previous errors, respectively, as the user does not find these errors him/herself.

Applicant argues that Krishnamurthy nor Lau disclose to define the predetermined criteria upon which the video processor automatically changes the area of particular scrutiny and selects the changeable selection for the formatted display (page 8). Krishnamurthy discloses an automatic comparison may also be made to automatically set an alarm for the image if the number of errors exceeds a threshold limit (column 4, lines 8 – 11) and the artist selects the saturation module which controls the error level (column 4, lines 15 – 23).

Applicant's arguments with respect to claims 2 and 13 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 2 – 6 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

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Claim 2 recites, “switching automatically to one of said plurality of display modes in response to the video input”. The original specification states, “preferably in at least some modes of operation, the display is composed repetitively, being thereby actively changing in response to changes in the character of the input signal 22” (paragraph 34). The cited passage does not imply that the display is switched in response to the input signal. The cited passage only implies the mode of operations are actively changing (i.e. a full display playing a video is actively changing). The original specification also states, “the control inputs 25 can be used manually to operate the controller 28 so as to select from the input video signal 22 an area of particular scrutiny, among other selections as needed to switch between optional display modes”. The cited passage does disclose switching between optional display modes, however the context of the passage discloses that the user switches between optional display modes and therefore is not automatic. It is difficult for one of ordinary skill in the art to make use of the invention as it is not clearly disclosed in the original specification.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 7 – 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnamurthy et al. (US 5,469,188) in view of Lau et al. (US 6,525,746).

Regarding independent claim 1, Krishnamurthy discloses that the video file can be stored on the computer system 10, in the frame buffer of the DSP 20, and in the video recorder 22 and the computer system 10 is coupled to a digital processing system (DPS) 20 that includes at least one frame buffer that contains one full frame of the digital component image (column 2, lines 52 – 67 and Fig. 1), which reads on the claimed video input signal providing a video signal to be analyzed, the video input signal including at least one of successive picture frames and fields containing a video picture. Krishnamurthy also discloses the DPS 20 is coupled to a video recorder 22 together with an associated component video monitor 24 (column 2, lines 52 – 67 and Fig. 1), which reads on the claimed video processor operable to produce a display of information at least partly from the video input signal. Krishnamurthy discloses a computer system 10 that has a central processor 12, a display 14 and an interface 16, such as a keyboard and mouse (column 2, lines 52 – 67 and Fig. 1), which reads on the claimed controller coupled to the video processor and to at least one control input, the controller being operable to control the information displayed by the video processor. The computer system 10 is capable to control the information displayed by the DPS 20. Krishnamurthy further discloses a display window 32 of panel display 30 (column 3, lines 16 - 19 and Fig. 2), which reads on the claimed full representation of the video picture contained in the video input signal selectively presented so as to occupy at least a portion of a display area of the formatted display. Krishnamurthy discloses below the display window 32 are status windows 37 that indicate the digital component values (YBR) of the pixel and includes pixel swatches of the pixel including the immediately preceding and following pixels on the same horizontal line (column 3, lines 21 - 31 and Fig. 2), which reads on the claimed zoom image including an area of particular scrutiny in said video picture

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selectively presented so as to occupy at least a portion of the display area of the formatted display. Krishnamurthy discloses the status windows 37 that display various characteristics of the pixels, which reads on the claimed report of the video data characteristics of at least one point within the area of particular scrutiny. Krishnamurthy discloses the input video 32, the status window 37 and the zoomed area of the area of particular scrutiny in the status window 37 (Figure 2), which reads on the claimed a subset of said full representation, said zoom image and said report. Krishnamurthy did not expressly disclose the video processor is operable to produce a formatted display of selectable data images for presentation on a display device wherein the formatted display comprises a changeable selection of one of a full representation of the video picture, a zoom image, and a report of video data characteristics. Krishnamurthy also did not expressly disclose a separate zoom window. Lau discloses various display windows 54-62, a main window 50, within which a user selects one or more subordinate windows 52, each of which may be concurrently active at a given time (column 7, lines 28 – 33 and Figure 3). Lau also discloses the subordinate windows 52 may be opened or closed, moved or resized (column 7, lines 33 – 34 and Figure 3). Lau also discloses the subordinate windows 52, comprises of a video window 54, a zoom window 56, and one or more data windows 62 (column 7, lines 40 – 43 and Figure 3). The selectable zoom window 56 relates to the claimed zoom image that can be selectively displayed. It would have been obvious to one of ordinary skills in the art at the time of the invention to combine Krishnamurthy's system with Lau's teachings of a zoom window 56 and a video window 54 in order to display the input video signal and the zoomed portion of the input video signal at the same time, which would give the user better analysis of the video input signal. It would have also been obvious to one of ordinary skills in the art at the time of the

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invention to further combine Krishnamurthy's system with Lau's teachings of selectable displays in order to allow the display window 32 and the selectable status window 37 of Krishnamurthy's system to be opened, closed, resized and moved or selectively displayed, which would give the user increased flexibility in viewing the desired information. Krishnamurthy teaches the video processor is operable automatically to change the area of particular scrutiny (column 3, lines 36 – 40: errors are displayed in respective windows for each test and a NEXT or PREV button moves the cursor 36 to the next or previous pixel that exhibited an error of the selected type) and automatically to select changeable selection of the formatted display (Figure 2: the full window 32 is selected to display the errors by the cursor 36; column 3, lines 16 – 40: the cursor 36 displays the a color swatch (PIXEL) in the status window 37 which shows the pixel of where the cursor 36 is and the previous and the next pixels relative to the current position of the cursor), when predetermined criteria are met by said video picture (column 3, line 50 – column 4, line 14: amplitude check in where each color component of each pixel in the RGB domain is checked to determine whether the value is within predetermined limits).

Regarding dependent claim 7, Krishnamurthy further discloses a digital component domain image is stored in the frame buffer of the DPS 20 (column 2, lines 61 – 63) and errors are displayed in respective windows for each test and a NEXT or PREV button moves the cursor 36 to the next or previous pixel that exhibited an error of the selected type (column 3, lines 36 – 40). The frame buffer of the DPS 20 relates to the claimed digital video signal. It is inherent that a digitized video signal increments at least one frame at a time and that each frame contains at least one of discrete sample data and discrete color state elements defining pixels, which reads on the claimed video input signal contains a digital video signal with successive picture frames



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and the video processor produces the formatted display repetitively for increments of at least one frame, from one of discrete sample data and discrete color state elements defining pixels in the video input signal.

Regarding dependent claim 8, Krishnamurthy discloses the video recorder 22, which relates to the claimed video sampler. The video recorder 22 is operable to produce a digitized video signal. It is inherent that a digitized video signal increments at least one frame at a time and that each frame contains at least one of discrete sample data and discrete color state elements defining pixels and Krishnamurthy discloses errors are displayed in respective windows for each test and a NEXT or PREV button moves the cursor 36 to the next or previous pixel that exhibited an error of the selected type (column 3, lines 36 – 40), which reads on the claimed video processor produces the formatted display for increments of at least one frame from one of discrete sample data and discrete color state elements defining pixels in the video input signal.

Regarding dependent claim 9, Lau discloses a zoom window and where it well known and expected in the art to resize a window (Figure 3) and Krishnamurthy discloses a status window 37 (Figure 2), which reads on the claimed video processor is operable to resize at least part of the video picture for presentation in part of an area of the formatted display that occupies less than a full area of the formatted display, and wherein resizing by the video processor includes at least one of recalculating pixel values, sampling pixel values and reading out selected pixel values.

Regarding dependent claim 10, Krishnamurthy in combination of Lau allows users to manually select from the input video signal an area in the selectable display window 32 of panel display 30 by using the interface 16, such as a keyboard and a mouse, to select the area of

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particular scrutiny. The DPS 20 is capable of simultaneously display the input video signal to the selectable display window 32 and the selectable zoom window 56 (Lau) of the area of particularly scrutiny, which reads on the claimed control input is operable by a user manually to select from the video input signal an area to be the area of particular scrutiny, and wherein the video processor is operable simultaneously to present the video picture and the zoom image including the area of particular scrutiny, in different areas of said formatted display.

Regarding dependent claim 11, Krishnamurthy in combination of Lau allows users to manually select from the input video signal an area in the selectable display window 32 of panel display 30 by using the interface 16, such as a keyboard and a mouse, to select the area of particular scrutiny. The DPS 20 is capable of simultaneously display the input video signal to the selectable display window 32 and the selectable zoom window 56 (Lau) of the area of particularly scrutiny, which reads on the claimed video processor allots the formatted display to accommodate said changeable selection.

Regarding dependent claim 12, Krishnamurthy teaches the video processor is operable responsive to the control input to define the predetermined criteria upon which the video processor is operable automatically to change the area of particular scrutiny and to select said changeable selection of the formatted display (column 4, lines 8 – 11: an automatic comparison may also be made to automatically set an alarm for the image if the number of errors exceeds a threshold limit; column 4, lines 15 – 23: the artist selects the saturation module).

Claims 2 – 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnamurthy et al. (US 5,469,188) in view of Lau et al. (US 6,525,746) and Kidder et al. (US 2004/0031030).

Regarding dependent claim 2, the combination of Krishnamurthy and Lau teach the video processor has a plurality of display modes in which at least two of the selectable data images depict the area of particular scrutiny (Lau, column 7, lines 28 – 33 and Figure 3: at least one of, two of, or all of the selectable display window 32, the selectable status window 37, the selectable zoom window 56 can be displayed in different variations; Lau, column 7, lines 40 – 43 and Figure 3: the subordinate windows 52, comprises of a video window 54, a zoom window 56, and one or more data windows 62). Krishnamurthy did not expressly disclose the video processor selection of said changeable selection includes switching automatically to one of said plurality of display modes in response to the video input signal. Kidder discloses automatically enlarge FCAPS button if status changes from good operation to a warning status or an error status. It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Krishnamurthy's system with the principles of Kidder in automatically enlarge FCAPS buttons when a status goes from good to error by automatically enlarge areas that have errors in a video with zoom windows (Lau: zoom window 56). One would be motivated to do so because this provide users a focus on errors that are easy to see and provides users to focus on correcting errors that are automatically detected instead of detecting errors manually and then correcting errors.

Regarding dependent claim 3, Krishnamurthy in combination of Lau discloses the display window 32, the status window 37 and the zoom window 56 (Lau) are presented at different parts

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of the display device and present progressively smaller parts, the display window 32 being the largest displayed area and the status window 37 being the smallest display area, which reads on the claimed video processor has a display mode wherein the full representation of the video picture, the zoom image and the report of said video data characteristics are presented at different parts of the display device and present progressively smaller parts of the area of particular scrutiny.

Regarding dependent claim 4, Krishnamurthy discloses the information of the pixel displayed in the selectable status window 37 (Figure 2), which reads on the claimed tabular display, which in the disclosure of the disclosed invention the tabular display just shows information of the pixel data.

Regarding dependent claim 5, Krishnamurthy further discloses the selectable status window 37 that indicate the (X,Y) pixel location (POS) of the cursor 36 (column 3, lines 21 – 30 and Fig. 2), which relates to the claimed sample location information and color sample data.

Regarding dependent claim 6, Krishnamurthy discloses the pixel swatches in the selectable status window 37 (column 3, lines 21 - 31 and Fig. 2), which reads on the claimed color swatch of the color sample data.

Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnamurthy et al. (US 5,469,188) in view of Lau et al. (US 6,525,746) and McVeigh et al. (US 2002/0141615) and McCalla et al. (US 2004/0031061).

Regarding dependent claim 13, Krishnamurthy did not expressly disclose the controller and the video processor are operable to coordinate between automatic and manual selection of

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the area of particular scrutiny, wherein one of said manual selection and said automatic selection supersedes an other of said manual selection and said automatic selection for a limited period of time after said changing of the formatted display by the video processor when the predetermined criteria are met, however Krishnamurthy does disclose a pre-analysis of video signals obtained from a digital image that provides an artist in the preparation of animation sequences with an indication of color distortion errors so that the artist can correct such errors interactively during the animation process (column 2, lines 1 – 5). McVeigh disclose automatically tracking a color object through a series of frames of data (claim 11). McCalla discloses after predetermined time period where there is no user input, automatically display plurality of information items (claim 3). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Krishnamurthy's system to incorporate McVeigh's system of automatically tracking colored object in a video sequence by automatically tracking color errors in a video sequence and to also incorporate the principles of McCalla's system of automatically resuming the original process after a certain amount of time has elapsed without any user interaction by automatically tracking errors after a certain amount of time has elapsed without any user interaction. One would be motivated to automatically track color errors in a video sequence because this would allow users to interactively view errors in real time while the video is being analyzed and one would be motivated to resume tracking errors after an elapsed time of no user interaction because this would allow users correcting errors to view the errors long enough to determine if it is desirable to correct these errors.

Regarding dependent claim 14, Krishnamurthy discloses an amplitude check in where each color component of each pixel in the RGB domain is checked to determine whether the

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value is within predetermined limits (column 3, line 50 – column 4, line 14), which reads on the claimed selection criteria for said automatic selection include a color gamut value criterion having at least one threshold value such that a value meeting the threshold value criterion is selected for particular scrutiny.

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

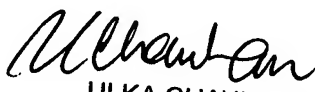
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey J. Chow whose telephone number is (571)-272-8078. The examiner can normally be reached on Monday - Friday 10:00AM - 5:00PM (EST).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on (571)-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JJC

  
ULKA CHAUHAN  
SUPERVISORY PATENT EXAMINER